48. (New) A data communication apparatus according to claim 28, wherein the apparatus and the one or more destination nodes are in a system that conforms to IEEE 1394-1995 standard.

CONT A6

49. (New) A data communication apparatus according to claim 28, wherein the object data is one of image data, audio data, graphics, data, and text data.--

REMARKS

This application has been reviewed in light of the Office Action dated May 8, 2002. Claims 1, 2, 8-11, 20-22, 24, 28, and 34-49 are pending in this application. Claims 3-7, 12-19, 23, 25-27, and 29-33 have been cancelled, without prejudice or disclaimer of subject matter. Claims 34-49 have been added to provide Applicants with a more complete scope of protection. Claims 1, 2, 8-11, 20-22, 24, and 28 have been amended to define still more clearly what Applicants regard as their invention. Claims 1, 24, and 28 are in independent form. Favorable reconsideration is requested.

The Office Action objected to Fig. 1 for not being designated by a legend such as --Prior Art--. A Request For Approval To Make Drawing Change is submitted herewith, requesting that Fig.1 be so labeled. Withdrawal of the objection to the drawing is respectfully requested.

Claims 1-17, 20, and 22-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,185,210 B1 (*Troxel*), and Claims 18, 19, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Troxel*.

Cancellation of Claims 3-7, 12-19, 23, 25-27, and 29-33 renders their rejections moot.

As shown above, Applicants have amended independent Claims 1, 24, and 28. Applicants submit that these independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is a data communication system. The system comprises a source node and one or more destination nodes, and the source node is adapted to set a segment size in accordance with a reception capability of the one or more destination nodes, to segment object data into one or more segments in accordance with the segment size, and asynchronously to transfer data in each segment to the one or more destination nodes via a logical connection.

One important feature of Claim 1 is the capability of setting a segment size in accordance with a reception capability of the one or more destination nodes, segmenting object data into one or more segments in accordance with the segment size and asynchronously transferring data in each segment from a source node to the one or more destination nodes via a logical connection.

Troxel, as understood by Applicants, relates to a system and method for optimizing traffic flow control of data through a node in a network system. The *Troxel* system includes a plurality of open point-to-multipoint virtual circuits (VCs) between various endpoint sites, as can be found, for example, in multicast systems. The *Troxel* system further includes a token counter associated with the data flow into a node and is incremented at a predetermined rate of tokens per second. The token counter is

decremented by a number of tokens as required for passing an arriving message in that flow through the node. The number of tokens required for passing an arriving message is determined by the attributes of the arriving message. *Troxel* hopes to optimize traffic flow control by passing packets of data according to a packet size and the number of tokens. Nothing has been found in *Troxel*, however, that would teach or suggest a source node adapted to set a segment size in accordance with a reception capability of the one or more destination nodes, to segment object data into one or more segments in accordance with the segment size, and to asynchronously transfer data in each segment to the one or more destination nodes via a logical connection, as recited in Claim 1.

For at least these reasons, Applicants submit that independent Claim 1 is clearly allowable over *Troxel*.

Independent Claims 24 and 28 are claims to a data communication method and a data commendation apparatus, respectively, corresponding to system Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Amended) A data communication system comprising:

a source node; and [for transferring asynchronously object data segmented into one or more segments by using a logical connection relationship set between]

one or more destination nodes, [and said source node; and

a controller for setting the logical connection relationship between said source node and said one or more destination nodes;]

wherein [a size of the segment is set] the source node is adapted to set a segment size in accordance with a reception capability of [said] the one or more destination nodes, to segment object data into one or more segments in accordance with the segment size, and asynchronously to transfer data in each segment to the one or more destination nodes via a logical connection.

2. (Amended) A data communication system according to Claim 1, wherein [said] the source node [performs the asynchronous transfer] is adapted to transfer data continuously in each segment to the one or more destination nodes via the logical connection.

3. - 7. (Canceled)

8. (Amended) A data communication system according to Claim 1, wherein the source node is adapted to set the segment size [of said segment is set] in accordance with [an amount of data processible by said] the size of a receiving buffer in each destination node [by one asynchronous transfer].

9. (Amended) A data communication system according to Claim 1, wherein the source node is adapted to set the segment size [of said segment is the integral times the amount of data processible by said] in accordance with a maximum payload size of a packet received by each destination node[by one asynchronous transfer].

10. (Amended) A data communication system according to Claim 1, wherein the source node is adapted to set the segment size [of said segment is set] in accordance with the lowest reception capability [of the reception capabilities of destination nodes].

11. (Amended) A data communication system according to Claim 1, wherein the segment size of [the] each segment is variable [per segment].

12. - 19. (Canceled)

20. (Amended) A data communication system according to Claim 1, wherein [said] the data communication system is a serial bus [type network] system.

21. (Amended) A data communication system according to Claim 1, wherein [said] the data communication system [is the network based on the] conforms to IEEE 1394-1995 [standards] standard.

22. (Amended) A data communication system according to Claim 1, wherein the [data having said one or more segments is at least one of still] object data is one of image data, audio data, graphics data, and text data[, file data, program data].

23. (Canceled)

24. (Amended) A data communication method of transferring object data from a source node to one or more destination nodes via a logical connection, the method comprising [steps of]:

a setting step, of setting a [logical connection relationship between the source node and] segment size in accordance with a reception capability of the one or more destination nodes;

a segmentation step, of segmenting the object data into one or more

segments in accordance with the segment size; and

a transfer step, of [transferring] asynchronously transferring [the object data segmented into one or more segments using the logical connection relationship,

wherein a size of the segment is set in accordance with a reception capability of said] data in each segment from the source node to the one or more destination nodes via the logical connection.

25. - 27. (Canceled)

28. (Amended) A data communication apparatus that transfers object data to one or more destination nodes via a logical connection, the apparatus comprising:

[means for] setting means for setting a segment size in accordance with a reception capability of the [a logical connection relationship with] one or more destination nodes;

segmenting means for segmenting the object data into one or more segments in accordance with the segment size; and

[means for] transferring means for asynchronously [the object] transferring data [segmented into one or more segments by using said logical connection relationship,

wherein a size of the segment is set in accordance with a reception capability of said] in each segment to the one or more destination nodes via the logical connection.

29. - 33. (Canceled)